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*Attorneys for Defendants Salt Lake City and Officer Clinton Fox*

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**IN THE UNITED STATES DISTRICT COURT  
STATE OF UTAH, CENTRAL DIVISION**

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ESTATE OF PATRICK HARMON SR.;  
PATRICK HARMON II, as Personal  
Representative of the Estate of Patrick Harmon  
Sr., and heir of Patrick Harmon Sr., TASHA  
SMITH, as heir of Patrick Harmon, Sr.,

Plaintiffs,

vs.

SALT LAKE CITY, a municipality; and  
OFFICER CLINTON FOX, in his individual  
capacity,

Defendants.

**STIPULATED MOTION TO STAY  
EXPERT DISCOVERY PENDING  
RESOLUTION OF SUMMARY  
JUDGMENT MOTION**

Case No. 2:19-cv-00553-HCN-CMR

Judge Howard C. Nielson, Jr.  
Magistrate Judge Cecilia M. Romero

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Defendants and Plaintiffs, through respective counsel, hereby move the Court for an order staying expert discovery pending the resolution of Defendants' Motion for Summary Judgment ("**Motion**," ECF 66).

**RELEVANT BACKGROUND**

1. On August 26, 2022, Defendants filed the Motion seeking dismissal of all Plaintiffs' causes of action. (ECF 66.)

2. By December 9, 2022, the Parties fully briefed the Motion (ECF 79, 90.)

3. On February 15, 2023, the Court heard oral argument on the Motion, and took the matter under advisement. (ECF 100.)

**BASIS FOR RELIEF**

A decision is pending on Defendants' Motion for Summary Judgment. The Parties are currently engaged in expert discovery. It is in the interests of the Court and the Parties to stay expert discovery until the Court issues a decision on the Motion. The Motion may resolve some or all of the claims in the case or clarify the remaining issues. As a result, staying expert discovery will avoid the expenditure of significant resources by the Parties and potential disputes before the Court that may be mooted by a decision on the Motion.

For these reasons, the Parties respectfully request the Court stay expert discovery pending a ruling on Defendants' Motion and order the Parties—if the Motion is denied in whole or in part—to submit a proposed scheduling order within thirty-five (35) days of the Court's decision.

DATED: February 21, 2023.

SALT LAKE CITY CORPORATION

RATHOD | MOHAMEDBHAI LLC

/s/ Katherine R. Nichols  
Katherine R. Nichols

*Attorneys for Defendants*

/s/ Qusair Mohamedbhai  
signed electronically with permission  
Qusair Mohamedbhai  
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Andrew G. Deiss  
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*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 21, 2023, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court, which sent notice to:

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/s/ Carol Prasad